

EXHIBIT E

TESLA, INC. vs MARTIN TRIPP
Shamara Bell on 09/06/2019

Confidential

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 TESLA, INC., a Delaware)
4 Corporation,)
5 Plaintiff)

6 VS.)

7 MARTIN TRIPP, an Individual,)
8 Defendant)

9) Case No.
10) 3:18-cv-00296-LRH-CBC

11 MARTIN TRIPP, an Individual,)
12 Counterclaimant)

13 TESLA, INC., a Delaware)
14 Corporation,)
15 Counter Defendant)

16 CONFIDENTIAL

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18 ORAL AND VIDEOTAPED DEPOSITION OF

19 SHAMARA BELL

20 SEPTEMBER 6, 2019

21 VOLUME 1

22 -----

23 ORAL AND VIDEOTAPED DEPOSITION OF SHAMARA BELL,
24 produced as a witness at the instance of the
25 DEFENDANT/COUNTERCLAIMANT, and duly sworn, was taken in
the above-styled and numbered cause on September 6, 2019,

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1 SHAMARA BELL,

2 having been first duly sworn, testified as follows:

3 MR. BETETA: Before we get started, Robert,
4 I'm sorry, I just want to put on the record that I don't
5 believe Ms. Bell has received a witness fee, and we're not
6 waiving the witness fee. We expect that to be paid
7 promptly because that has not been paid.

8 MR. MITCHELL: Absolutely. I was unaware
9 of that. We'll make sure that happens, Ms. Bell.

10 MR. BETETA: Thank you. Sorry.

11 MR. MITCHELL: We're ready to begin?

12 MR. BETETA: Yes.

13 EXAMINATION

14 BY MR. MITCHELL:

15 Q. Good morning, Ms. Bell. My name is Robert
16 Mitchell. As I said, I'm an attorney with the law firm of
17 Tiffany & Bosco, and we represent Martin Tripp in certain
18 litigation he has with Tesla that's pending in federal
19 court in Nevada.

20 Again, I apologize for not being there in
21 person. It had been my intent to, but our flight had
22 problems, and so here we are. I'm going to try to get you
23 through this as quickly as possible. But with that said,
24 if there's any point you wish to take a break, just tell
25 me, and we'll be happy to do so.

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1 know because it's been so long.

2 Q. I understand. Now, I notice nowhere in the
3 recap that you provided does it say that Mr. Tripp was
4 going to -- and I use these words specifically -- quote,
5 shoot the place up, end quote. Correct?

6 A. Correct.

7 Q. And if someone had said that during the phone
8 call, you would have included that in your recap to be
9 careful and complete, correct?

10 A. Correct, if it was said verbatim, yes.

11 Q. Now, you indicated you had communications with
12 personnel in the communications department for Tesla, but
13 you don't recall their name; is that right?

14 A. Right.

15 Q. Did you meet with them in person, or was it by
16 phone?

17 A. I met with multiple people in person and by
18 phone.

19 Q. Do you remember the names of any of the people
20 you met with?

21 A. Unfortunately, I don't. It's been so long.

22 Q. Did any of the people talk with you about
23 relating the experience you had had on the phone call to
24 members of the press?

25 A. Yeah. Yep. So do you mean --

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1 yeah.

2 Q. And do you recall the date of that meeting?

3 A. I don't.

4 Q. Do you think it was very shortly after the date
5 of the phone call, or do you know?

6 A. I'm pretty sure -- I'm pretty sure it was
7 within -- within days, yeah.

8 Q. And was it the woman with the English accent?

9 A. I believe so, yeah.

10 Q. In your Exhibit 4, your series of comments on
11 there that were sent by instant message, you said, "I
12 never said 'shoot the place up,'" end of quotes. That's
13 correct? You never said that, did you?

14 A. I never verbally said that, no.

15 Q. And if the caller had said somebody was going to
16 shoot the place up, you would have certainly included that
17 in your detailed recap that we looked at previously,
18 right?

19 A. Correct.

20 MR. MITCHELL: Tobi, I'd like to go next to
21 an email that is -- it's an email from Sarah O'Brien to
22 Julia Wong, and it's dated June 20, 2018, at 5:55 p.m.,
23 and it's multiple pages, perhaps about ten pages or so.

24 (EXHIBIT NO. 5 WAS MARKED)

25 Q. (By Mr. Mitchell) Ms. Bell, I've handed you an

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1 wanting to hurt people, there's only one thing that --
2 well, I can't assume, but I would -- there's only one
3 thing you can do when you're heavily armed. So I can --
4 it's still saying the same thing, but verbiage-wise, that
5 was not my exact verbiage.

6 Q. Okay. But isn't it a fact that the caller did
7 not say that the person was coming to the Gigafactory to
8 shoot the place up?

9 MR. BETETA: Objection. Asked and
10 answered.

11 A. Correct, that wasn't -- that wasn't the verbiage
12 that was used.

13 Q. (By Mr. Mitchell) And if the caller had said
14 that Mr. Tripp was going to the Gigafactory to shoot the
15 place up, you would have put that in your recap of the
16 call, wouldn't you?

17 A. I would have, and I probably would have thought
18 it was a prank at that point, that type of -- but yeah, I
19 would have stated that.

20 Q. Because that would have been an important
21 message to convey, wouldn't it?

22 A. Correct.

23 Q. Did you tell anyone at Tesla after that phone
24 call that the alleged -- or the anonymous caller was a
25 friend of Mr. Tripp?

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1 court reporter, I would like a complete copy of the
2 transcript, the video sync, and the exhibits, please.

3 MR. BETETA: And I'd like to designate the
4 deposition confidential.

5 THE REPORTER: Did you need a copy also?

6 MR. BETETA: Yes, please.

7 VIDEOGRAPHER: This ends the deposition of
8 Shamara Bell. The time is 1:12 p.m. We're off the
9 record.

10

11 (WHEREUPON DEPOSITION CONCLUDED
12 AT 1:12 P.M., SEPTEMBER 6, 2019)

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